1952. K File No. Displaced Persons (DA) II 152 (R)

Legal Deptl-

B BRANCH

(P 3-1-52)

Subject:— Rules under the Displaced Persons (Debts Adjustment) Act 1951

File No. Displaced Persons (DA) II 152 (R)

Gen. 194 e.

325-B.

Legal Department.

Revised draft rules are sent herewith.

2. For facility of reference the draft rules may be given a short title and draft rules 1 to 3 renumebered as draft rules 2 to 4, respectively.

3. Draft rule 1 in the Department's draft is not in order. As the Civil Judges (Senior Division) have been appointed as tribunals, the District Judge will have to be empowered to distribute business amongst them. The draft rule may therefore, subject to the remarks if any made by the High Court, be recast as shown in the revised draft (revised draft rule 2).

Sd/-

Additional Secretary to Government.

U.R.to R.H.D.No.3156, dated the 27th February 1952.

RHB.
4.7.

Legal Department.

A revised draft notification is sent herewith.

2. Draft rule 4 in R.H.D. draft p. 91 ante.- Section 4 of the Act does not contemplate the issue of a second order of eviction. The notice issued under section 4(1) is itself an order of eviction. It is not, therefore, necessary to prescribe Form D as proposed by the Department. It is not included in the revised draft.

3. Draft rule 5 and Form C in R.H.D. draft at p.10 ante.- The proper course would be to give an opportunity of being heard before assessing the damages. According to section 5 of the Act, the notice should state the amount of damages as finally assessed. Revised draft rule 6 and Form C are framed accordingly.

4. Revised draft rule 8.- The R.H.D. may consider whether the procedure provided in the revised draft rule 8 is adequate.

5. Revised draft Form D.- The Agreement may be executed on behalf of the Governor by the Secretary, R.H.D. or by such officer as may be authorised by Government to execute the same on behalf of Governor.

Sd/-

Additional Secretary to Government.

U.R.to R.H.D., No.19164/B, dated the 17th November 1952.

RHB.
4.7.

SW. 21/7

21/7